

AMENDED IN SENATE MAY 1, 2001

AMENDED IN SENATE APRIL 17, 2001

**SENATE BILL**

**No. 450**

**Introduced by Senator Machado**

~~(Coauthor: Assembly Member Alquist)~~ *(Coauthors: Assembly Members Alquist and Cedillo)*

February 22, 2001

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An act to add Article 4 (commencing with Section 38105) to Chapter 3 of Part 23 of the Education Code, relating to school food, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 450, as amended, Machado. School Food Service Staff Development and Safe Food Handling Program.

Existing law authorizes school districts to operate programs to provide school meals for pupils and establishes public health standards for food and beverage handling. Existing law also authorizes staff development for school employees.

This bill would establish the School Food Service Staff Development and Safe Food Handling Program, to be administered by the Superintendent of Public Instruction to provide, subject to funding being made available for this purpose, eligible school districts and county offices of education with a school food service staff development allowance of \$140 per full-time equivalent of training for school food service employees, as specified, for training of up to 8 hours a year in areas such as safe food handling and preparation, school food service marketing techniques, and general food service management practices.

The bill would authorize for reimbursement, as specified, public school districts and county offices of education that participate in a federal child nutrition program if specified requirements are met.

~~The bill would require, beginning in the 2001–02 fiscal year, funding for the School Food Service Staff Development and Safe Food Handling Program to be disbursed to eligible school districts and county offices of education on a reimbursement basis, as specified.~~

The bill would appropriate ~~\$4,120,000~~ \$2,120,000 from the General Fund to the Superintendent of Public Instruction for the School Food Service Staff Development and Safe Food Handling Program. The bill would require that no more than one \$120,000 be used by the Superintendent of Public Instruction for the purposes of administration.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 4 (commencing with Section 38105) is  
2 added to Chapter 3 of Part 23 of the Education Code, to read:

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4 Article 4. School Food Service Staff Development and Safe  
5 Food Handling Program

6

7 38105. This article shall be known and may be cited as the  
8 School Food Service Staff Development and Safe Food Handling  
9 Program.

10 38107. (a) There is hereby established in the State  
11 Department of Education the School Food Service Staff  
12 Development and Safe Food Handling Program. The  
13 Superintendent of Public Instruction shall develop guidelines for  
14 the purpose of implementing this article.

15 (b) Each fiscal year, the Superintendent of Public Instruction  
16 shall provide, subject to funding being made available for this  
17 purpose, each eligible school district and county office of  
18 education applying for reimbursement under this article with a  
19 school food service staff development allowance of one hundred  
20 forty dollars (\$140), with an appropriate cost-of-living adjustment  
21 being made on a yearly basis, per each full-time equivalent of  
22 training for school food service employees pursuant to subdivision  
23 ~~(i)~~ (f) for training of up to eight hours a year per school food service

1 employee who participates in staff development instruction in any  
2 of the following subject areas:

- 3 (1) Safe food handling techniques.
- 4 (2) Food preparation techniques.
- 5 (3) Menu planning.
- 6 (4) Recipe development.
- 7 (5) School food service marketing techniques.
- 8 (6) General food service management practices.

9 (c) All public school districts and county offices of education  
10 that participate in a federal child nutrition program that is  
11 reimbursed pursuant to Section 41350 for meals served pursuant  
12 to Article 11 (commencing with Section 49550) of Chapter 9 of  
13 Part 27 are eligible for reimbursement at the rate pursuant to  
14 subdivision (b) if the requirements of this section are met.

15 ~~(d) All programs implemented pursuant to this article shall, for~~  
16 ~~the purposes of reimbursement, meet all of the following~~  
17 ~~requirements:~~

18 ~~(1) At least one hour in the area of safe, sanitary food handling~~  
19 ~~techniques shall be provided per employee for each year that~~  
20 ~~reimbursement is made.~~

21 ~~(2) Guidelines issued by the Superintendent of Public~~  
22 ~~Instruction that define staff development shall be followed.~~

23 ~~(3) Each eligible participant shall attend the full training~~  
24 ~~session. Records of attendance and the content of the training~~  
25 ~~session shall be maintained a minimum of three years in a manner~~  
26 ~~prescribed in the guidelines.~~

27 ~~(e) Training sessions may be offered over several calendar~~  
28 ~~days.~~

29 ~~(f) No reimbursement shall be made for the cost of an employee~~  
30 ~~repeating a training session in the same school year that the~~  
31 ~~training was previously attended by that employee.~~

32 ~~(g)–~~

33 (d) School districts and county offices of education shall  
34 account for revenues and expenditures related to this article in  
35 accordance with cafeteria budget codes pursuant to the California  
36 School Accounting Manual.

37 ~~(h)–~~

38 (e) This article is also applicable to food service employees and  
39 food service management staff employed by joint powers

1 agreements, formed pursuant to Chapter 5 (commencing with  
2 Section 6500) of the Government Code.

3 ~~(i)~~

4 (f) For the purposes of this section a “full time equivalent of  
5 training for school food service employees” means up to eight  
6 hours per year per food service employee.

7 38109. ~~(a)~~—In order to receive reimbursement under this  
8 article, eligible school districts and county offices of education  
9 shall submit for approval their intent to provide food service staff  
10 development consistent with the guidelines and requirements  
11 established by this article. Intent to provide food service staff  
12 development training shall be part of the school food authority’s  
13 permanent National School Lunch Program Agreement with the  
14 State Department of Education.

15 ~~(b) Reimbursement shall be provided under this article only~~  
16 ~~after the school district or county office of education certifies~~  
17 ~~completion of the school food service training sessions.~~

18 ~~(c) Beginning in the 2001-02 fiscal year, funding for the~~  
19 ~~program shall be disbursed to each school district food authority~~  
20 ~~that requests reimbursement. Upon submission by the school~~  
21 ~~district of a request for reimbursement, the district shall be~~  
22 ~~reimbursed within 60 days after the date upon which the request~~  
23 ~~is received. Each district may apply one time annually during the~~  
24 ~~fiscal year, but not later than August 20.~~

25 38111. This article shall not be interpreted to provide the sole  
26 source of funding for school food service staff development and  
27 is intended to supplement, not supplant, other sources of funding.

28 SEC. 2. The sum of ~~four~~ *two* million one hundred twenty  
29 thousand dollars ~~(\$4,120,000)~~ *(\$2,120,000)* is hereby  
30 appropriated from the General Fund to the Superintendent of  
31 Public Instruction for the School Food Service Staff Development  
32 and Safe Food Handling Program implemented pursuant to Article  
33 4 (commencing with Section 38105) of Chapter 3 of Part 23 of the  
34 Education Code. No more than one hundred twenty thousand  
35 dollars (\$120,000) shall be used by the Superintendent of Public  
36 Instruction for the purposes of administration.

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